

**ENVIRONMENTAL QUALITY COUNCIL  
LAND USE/ENVIRONMENTAL TRENDS SUBCOMMITTEE**

Meeting Minutes

December 2, 1999

Draft: January 10,2000

Approved: January 2 1,2000

**SUBCOMMITTEE MEMBERS PRESENT**

Ms. Julia Page

Mr. Jerry Sorensen

Sen. Barry "Spook Stang

**SUBCOMMITTEE MEMBERS EXCUSED**

None

**STAFF MEMBERS PRESENT**

Mr. Larry Mitchell

Ms. Mary Vandebosch

Ms. Judy Keintz, Secretary

Visitors' list ([Attachment 1](#))

Agenda ([Attachment 3](#))

**SUBCOMMITTEE ACTION**

- ▶ Agreed to send a letter from the Environmental Quality Council (EQC) to the directors of the state agencies requesting environmental trend information.
- ▶ Agreed to send a letter to MACo and the League of Cities and Towns in efforts to start a dialogue regarding the issue of funding for growth policies.

**I CALL TO ORDER AND ROLL CALL**

MR. SORENSEN called the meeting to order at **3:05** p.m. Roll call was noted; all members were present ([Attachment 2](#)).

**II LEWIS AND CLARK COUNTY COMPREHENSIVE PLAN DEVELOPMENT**

A handout providing background information for the presentation ([Exhibit 1](#)) was provided to the subcommittee. **Sharon Haugen, Director, Lewis and Clark Community Development**

**and Planning**, remarked that their request for proposals for the Lewis and Clark County Comprehensive Plan went out in January of 1996. They hired a consultant from Washington. Initially the Commissioners set aside \$100,000 to \$125,000 for the project. The estimates on their project ranged from \$150,000 to \$250,000. Four consultants responded, two from Montana and two from out-of-state. The original contract has been amended and they are now paying \$185,000 in consultant fees for the county comprehensive plan. An additional \$10,000 has been spent on meetings, expenses, copies, etc. Also, approximately \$30,000 worth of staff time has been spent on the project. To hold down some of the costs, it was decided that the staff would contribute to some of the elements of the project such as existing land use, etc. The funds used are from their all purpose mill levy fund.

They are working on several planning areas which include the areas of Lincoln, Augusta, Craig/Wolf Creek, Canyon Creek/Marysville, Canyon Ferry, and the Helena Valley. These planning areas are defined by the people living in the area, the value system, environmental issues, and the land use.

The Commissioners established a Citizen Advisory Group. This group has been meeting for over two years. The group is very diverse, however, consensus has been reached in some areas but not in all areas. There is a Citizen Advisory Group member from each of the areas and they have reviewed staff narrative and background for accuracy, served as a conduit in the community and have communicated with the fire districts, sewer districts, etc. They identified over eighty community leaders throughout the county and interviewed all of them. Three series of public meetings have been held in each of the five planning areas. They publish a county newsletter, have had booths at the fairs, and have been on television and radio.

In the Canyon Creek/Marysville area, a citizen advisory group was formed. They have been very active in defining their issues and participating in the process. They have approached the Commissioners to establish a community council that would be an advisory board to the Commissioners for issues in the area. This is based on the concept of a neighborhood plan.

The implementation portion will be the most difficult section of the plan. A complete county comprehensive plan has not been prepared since 1983. There was an update in 1989. The Helena Valley has gone through a lot of leapfrog development in recent years. Areas such as Canyon Creek, Wolf Creek, Craig, and Augusta have seen recreational uses impacted.

Senate Bill 97 included a lot of elements that were also in the original RFP for their county comprehensive plan. They will have additional work when it comes to the implementation portion of the plan. The process should be completed in March or April. The consultants will complete the draft comprehensive plan, the Citizens Advisory Group will review the plan and make the necessary changes, and then the Planning Board will be engaged in the public

hearing process. Three members of the Planning Board have been on the Citizen Advisory Group.

The portion of the project that has not worked very well is the concept of working with staff and consultants. The expectations needed to be better defined. The coordination involved made the process a little more strained than it should have been.

**Dave Cole, Lewis and Clark County Planning Board**, remarked that the consolidated City/County Planning Board has a tremendous role. It serves the planning function and is also the City of Helena Zoning Commission. In 1994, the effort to adopt an interim zoning regulation caused problems. This poisoned the environment in terms of planning and land use regulation and caused a lot of suspicion about the new effort. Lewis and Clark County is a very diverse county. The Citizens Advisory Group is not a consensus group but there is a lot of respect for the positions of others. The transition period will be difficult but interesting. They have taken a lot of action to encourage attendance at meetings.

One of the most important features of SB 97 is the requirement for a five-year review. The Lewis and Clark Comprehensive plan is ten years old. It doesn't reflect what is happening on the ground and is a recurring problem for the Planning Board in terms of the subdivision review process. Also, it undercuts the credibility of the local planning process.

SEN. STANG questioned whether the funds were from the county budget or whether matching funds were obtained. **Ms. Haugen** explained that the money was from the county budget with the exception of \$30,000 for the Lincoln area which was received from the Forest Service. This was over and above the \$185,000 mentioned earlier.

MS. PAGE asked how the plan will be adopted. **Ms. Haugen** remarked that the plan will move from the Citizens Advisory Group to the Planning Board. The Planning Board will review it and may make some changes. After public hearings, it will go to the Board of County Commissioners. The public hearings will be held in all five areas. The process should be completed in April.

### **III MONTANA COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)**

Dave Cole, Chief, Community Development Bureau - **Montana Department of Commerce**, commented that the CDBG program is a federally funded program that has been available since 1974. It was offered to the state to administer for communities under 50,000 in population. One of the requirements is a community needs assessment. He provided the relevant section of the application guidelines, [Exhibit 2](#). Since local governments have few resources for planning, they encourage not spending funds on project specific/application specific planning processes, but instead promote a more comprehensive planning process which was encouraged through

SB 97. The Department discourages stand alone CDBG-specific needs assessment processes, or community surveys which are not coordinated with the overall community planning process.

The 701 Planning Assistance Program was set up by the 1954 Housing Act and provided matching funds for local government planning efforts. The list of the eligible activities of this program were folded into the CDBG Program. He provided a handout on technical assistance grants awarded, [Exhibit 3](#); a section of the CDBG Application Guidelines which lists eligible activities, [Exhibit 4](#); and a brochure explaining the CDBG program, [Exhibit 5](#). The ranking criteria have been changed to make the relationship to the community's long-term planning process the number one priority. This recognizes the efforts of SB 97. Last year, after changing the ranking process, they funded six projects for local planning programs. The demand for these funds is tremendous.

They are considering increasing the grant ceiling from \$10,000 to \$15,000 and allocating \$200,000 for this program. The CDGB program receives approximately \$7.7 million for the entire state. This is divided using one-third for economic development, one-third for housing projects and one-third for public facilities.

One of the difficulties with technical assistance grants is that it takes almost as much staff time to administer the small grants as it does for the large public facility projects. The matching funds include in-kind contributions. The CDBG requires that the regular projects principally benefit low and moderate income persons. The planning grants are exempt from that requirement.

#### **IV ENVIRONMENTAL TRENDS WORK PLAN ELEMENT**

MR. SORENSEN remarked that they would like to carry forward the environmental trend work accomplished by the EQC in the past.

MR. MITCHELL explained that he has contacted **Tom Ellerhoff** and **John Arrigo, DEQ**, in regard to this matter. The agency is resisting this project due to the time it takes to prepare information. Specifically, it is difficult for them to find time and staff positions to gather required information and gathering additional information is particularly difficult. He added that the Planning, Prevention, and Assistance Division of the DEQ has an environmental monitoring bureau that should be able to help provide indicators information.

MR. MITCHELL recommended a letter from the EQC to the directors of the state agencies requesting this information. The request could ask for a listing of environmental conditions or indicator information routinely gathered by the agencies. The Subcommittee agreed to send a letter to the state agencies requesting information for the indicators project.

MR. MITCHELL added that the state agencies could be asked to address this issue in the course of reporting their compliance and enforcement information to the EQC. They could be asked to include quantifiable environmental trend information in the reports.

**Janet Ellis, Montana Audubon Society**, suggested that the Natural Heritage Program be included in obtaining this information.

## **V      SMART GROWTH COALITION**

MR. SORENSEN encouraged communication with the Coalition. He would like to invite a spokesperson for the group to attend the next Land Use/Environmental Trends Subcommittee. A handout was provided that included a list of the organizations that have joined the Montana Smart Growth Coalition, [Exhibit 6](#).

## **VI      BUSINESS/NEXT STEPS**

The Subcommittee agreed to stay with the scheduled time of meeting from 2:00 to 5:00 p.m. following the full EQC meetings. On occasion, it may be necessary to switch times with the Water Policy Subcommittee.

MS. VANDENBOSCH advised the Subcommittee that the Department of Commerce is developing a guide to developing growth policies. The first draft of this project should be completed by the end of December. **Gavin Anderson, Dept. of Commerce**, agreed to send a draft of the guide to interested subcommittee members.

MS. VANDENBOSCH handed out a document which provided a status of growth policies by local governments, [Exhibit 7](#).

She stated that one of the elements of the Subcommittee's work plan is to evaluate whether or not more funding is needed for growth policies. It was decided that the Subcommittee would send a letter to MACo and the League of Cities and Towns in efforts to start a dialogue with these organizations regarding the funding issue.

**Gavin Anderson, Dept. of Commerce**, commented that he is a member of MACo's Council of Local Governments. He suggested that a member of the Subcommittee visit one of their meetings to provide an update of issues being covered by the Subcommittee.

MS. VANDENBOSCH remarked that she is gathering information from local governments related to addressing residential development in riparian areas. She added that the Audubon Society is working on a layperson's guide that also addresses this issue.

**Ms. Ellis** explained that they are in the drafting stage of the project. They are looking for items that citizens can advocate on a local basis to protect riparian areas with Montana's current laws. It has turned out to be a larger project than they had anticipated. They would be interested in

having the Subcommittee review the project. At this time they have identified the tools and are working on a Montana case history.

MR. SORENSEN remarked that the resolution the Subcommittee is operating under addresses some of these issues. He suggested that the Subcommittee review the project in its draft stage. The Subcommittee agreed to have a representative from the Montana Smart Growth Coalition at their next meeting. It was suggested that persons involved in growth policies in Ravalli County and Missoula County be asked to provide an update of the status of the issues in their areas at the next meeting to be held in Missoula on January 21.

## **VII     ADJOURNMENT**

There being no further business, the meeting adjourned at 4:25 p.m.